

### ***Remarks***

Upon entry of the foregoing amendment, claims 1-73 are pending in the application, with claims 1, 20, 22, 39, 46, 52, 59 and 67 being the independent claims. By entry of the foregoing amendment, Applicants have amended claims to incorporate the proper claim dependency. This amendment is believed to introduce no new matter, and entry is respectfully requested.

### ***Conclusion***

It is respectfully believed that the present application is in condition for examination. Early notice to this effect is earnestly solicited. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michele A. Cimbala  
Attorney for Applicants  
Registration No. 33,851

Date: Feb. 5, 2002  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600

**Version with markings to show changes made**

Claim 40 has been deleted and the following claim has been inserted thereto:

-- The *Corynebacterium* species chromosome of claim 39 wherein the sequence of said first nucleic acid is identical to SEQ ID NO:1. --